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August 15, 2022

VIA ECF

Honorable Lorna G. Schofield
United States District Judge, Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Planck LLC v. Particle Media, Inc. et al.*, Case No. 20-cv-10959 (LGS)

Dear Judge Schofield:

We write pursuant to the Court's August 9, 2022 memo endorsement (Dkt. No. 105), which required the parties to file a status letter regarding settlement negotiations and submit a proposed expert discovery schedule in the event that a settlement has not been reached.

We respectfully request that the court extend this deadline an additional two weeks, until **August 29, 2022**.

The parties have been diligent in their ongoing settlement discussions. Following an all-day mediation with a private mediator from JAMS, the mediator has remained involved and has continued to work with the parties in their discussions. The parties face two immediate circumstances outside of their control that have delayed those discussions. First, the mediator is out of the country and unavailable through Tuesday, August 23rd. Second, the principal of one of the parties with settlement authority is unavailable due to the sudden passing of a member of his immediate family.

We appreciate that the Court has allowed us this time to attempt to resolve this matter, and respectfully ask that the Court grant the parties the requested two-week extension in light of the challenges referenced above. If the Court is not inclined to grant the parties' request, we respectfully request that the parties be permitted to submit a joint proposed scheduling order within two days of the Court ordering the filing of one.

/s/ Judd Burstein
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